

# **Paducah Gaseous Diffusion Plant Citizens Advisory Board Operating Procedures**

(Revised and Approved September 19, 2004)

## **I. DECISION MAKING**

- A. The Board will attempt to reach consensus on all issues considered.
- B. Failing consensus, recommendations shall be forwarded to DOE by vote of a majority of the members present. Dissenting views shall be included with such recommendations.

## **II. MEETING FREQUENCY AND LOCATION**

- A. Regular meetings of the full Board will be held on the third Thursday of each month, except December.
- B. Meetings shall be held near the affected communities, such as at the Information Age Park Resource Center, in order to facilitate communication between the Board, area neighbors, and the concerned public.
- C. Meeting schedules shall be flexible to the extent necessary in order to accommodate public attendance and participation needs. Alternatives shall be explored for structuring meetings and agendas, including, but not limited to, a partially set/partially flexible format.
- D. At the request of a minimum of six (6) members of the Board, or at the request of DOE, the chairperson shall call upon the Deputy Designated Federal Official (DDFO) to schedule an extraordinary meeting of the Board. Presence at extraordinary meetings may not be factored in determining a member's attendance record.

## **III. ATTENDANCE**

- A. A member failing to attend three (3) consecutive regular Board meetings, or having three (3) unexcused absences in one calendar year may be removed from the Board.
- B. In cases of chronic and/or unexcused absenteeism, DOE will contact the member prior to the next board meeting to determine the member's circumstances and intention for future meeting attendance.
- C. The Board will, based on the information given by DOE, determine whether to forward a request for removal to DOE.

## **IV. MEMBER REMOVAL**

- A. In addition to absenteeism, members may be removed for disruptive conduct or neglect of duty.
- B. A member of the Board, DOE, or the public may bring a complaint against a member to the Chairperson or the Chair-elect.
- C. Upon receipt of a complaint against a member, the Chair shall, at the next Executive Committee meeting, compel the offending member's presence to discuss the complaint.
- D. If the Executive Committee finds an infraction has occurred, but which infraction does not rise to the level warranting removal, the member may be sanctioned in a manner deemed appropriate by the Executive Committee. Any such sanction and the

reason therefore shall be disclosed in writing to the offending member and to the Board.

- E. In the event the Executive Committee finds an infraction has occurred which warrants removal, such decision shall be brought before the Board for discussion at the next regular meeting. The offending member shall be permitted to present his/her side of the facts upon which the complaint is based. After full discussion, the matter shall be brought on for a vote. A two-thirds (2/3) vote for removal shall result in a recommendation being forwarded to DOE to notify and remove the offending member.

#### V. MEMBER REPLACEMENT.

- A. At the term expiration, resignation, removal or other loss of a Board member, the Nominations and Membership Subcommittee shall screen all applicants for eligibility.
- B. Public notices shall be made to solicit applications annually, at least 90 days prior to the expiration of member terms. All applications for Board membership shall be retained for a two year period. Applicants on file shall be notified that new applications must be submitted to be considered for vacancies.
- C. The membership replacement process shall ensure that the cultural and geographic diversity and stakeholder categories specified in the Board's by-laws are maintained.
- D. The Nominations and Membership Subcommittee shall propose at least two (2) qualified candidates for each vacancy. The Board shall make the final proposal for member replacement.
- E. Replacement members, selected by the DDFO, shall serve the unexpired portion of the term of the member they are replacing.

#### VI. EX OFFICIO MEMBERS.

- A. Ex officio members may participate in Board discussions and deliberations, both substantive and procedural.
- B. Ex officio members may not participate in the formation of consensus when the Board is determining what substantive advice it wishes to give or what procedural direction it chooses to take.
- C. Each agency shall designate its own representatives and alternates, notify the Board of such designees, and give timely notice if a replacement is required.
- D. A DOE technical support person or DOE contractor will serve as a non-voting ex officio member of any subcommittee or task force if the Board identifies a need for the support.

#### VII. DEPUTY DESIGNATED FEDERAL OFFICIAL.

- A. The Deputy Designated Federal Official (DDFO) is responsible for performing the following FACA-mandated actions:
  - 1. Call for, attend and adjourn Board meetings.
  - 2. Approve agendas.
  - 3. Ensure that conflict of interest regulations are followed.
  - 4. Ensure required records on Board costs and membership are maintained.
  - 5. Make records available to interested members of the public.
  - 6. Ensure senior DOE managers and project managers attend and participate in Board meetings when necessary.

7. Provide the Board with the opportunity to offer advice and recommendations that may affect the EM decision-making process. In support of this, the DDFO must:
  - a. Ensure that DOE's decision-making process is clearly communicated.
  - b. Suggest site activities and policy issues on which the Board's input would be useful.
  - c. Inform the Board of DOE programs, projects and activities directly affecting the Board's mission and purpose.
  - d. Work closely and cooperatively with the Board to prioritize issues.
  - e. Approve the Board's annual work plan.

#### VIII. SUBCOMMITTEES.

- A. Standing Subcommittees will be established to promote the efficient operation of the Board by addressing matters relative to the operation of the Board, and their purposes will be defined when created. For subcommittees existing prior to the enactment of these operating procedures, the existing purpose of such subcommittees shall suffice without further action.
- B. Ad hoc subcommittees will be established to address specific issues as deemed necessary by the Board.
- C. Subcommittees may appoint their own chairperson.
- D. Subcommittees may invite non-members to serve, but non-members shall not have voting rights.
- E. A CAB support staff representative will provide meeting support, including, but not limited to, securing locations, notifying members, and producing a meeting summary.
- F. Telephonic participation in subcommittee meetings shall be allowed, so long as all members are afforded the same opportunity.
- G. Subcommittees may not directly submit recommendations to DOE, the participating and enforcement agencies, or to any other entity outside the Board.
- H. Subcommittees are solely responsible for producing draft proposals to be utilized and considered by the Board.
- I. The subcommittee chair shall solicit input from all of the subcommittee members regarding proposed agenda at least ten (10) days prior to the subcommittee meeting. The chair shall then provide administrative staff with the final agenda at least one week prior to the subcommittee meeting.
- J. Input from all subcommittee members shall be solicited by the chair prior to canceling a meeting due to lack of agenda items, participation, etc. The subcommittee chair shall have final decision authority to cancel meetings based on analysis of subcommittee member responses.
- K. Cancellation decisions shall be made at least one week prior to the scheduled meeting, except in the event of unusual circumstances, such as inclement weather, in which cases, the one week requirement shall be waived. All attempts should be made to inform interested parties of any cancellation.

#### IX. TASK FORCES.

- A. Task forces will be term-limited bodies established to address issues that are either time dependent or more narrowly focused than the routine work of the Board.

- B. Task forces may invite non-members to serve, but non-members shall not have voting rights.
- C. Telephonic participation in subcommittee meetings shall be allowed, so long as all members are afforded the same opportunity.
- D. Task forces may not directly submit recommendations to DOE, the participating and enforcement agencies, or to any other entity outside the Board.
- E. Task forces are solely responsible for producing draft proposals to be utilized and considered by the Board.
- F. A CAB support staff representative will provide meeting support, including, but not limited to, securing locations, notifying members, and producing a meeting summary.
- G. The task force chair shall solicit input from all of the task force members regarding proposed agenda at least ten (10) days prior to the task force meeting. The chair shall then provide administrative staff with the final agenda at least one week prior to the task force meeting.
- H. Input from all task force members shall be solicited by the chair prior to canceling a meeting due to lack of agenda items, participation, etc. The task force chair shall have final decision authority to cancel meetings based on analysis of task force member responses.
- I. Cancellation decisions shall be made at least one week prior to the scheduled meeting, except in the event of unusual circumstances, such as inclement weather, in which cases, the one week requirement shall be waived. All attempts should be made to inform interested parties of any cancellation.

#### X. BUDGET.

- A. DOE Operations, Field and Area Office managers, through the DDFO and EM SSAB Federal Coordinator, must work closely and cooperatively with the Board to develop a budget that is consistent with the Board's mission, scope and annual work plan.
- B. Upon submission and approval by the DDFO of the Board's work plan, the DDFO and the DOE Operations, Field or Area Office should provide sufficient funding to carry out the work plan.
- C. Board members shall serve without compensation, but reasonable arrangements shall be made for reimbursement of direct expenses related to the work of the Board and meeting attendance.
- D. FACA and its implementing regulations provide for travel expense allowances for Board members when engaged in official duties related to Board service. For additional information on travel reimbursements, see the EM SSAB Final Guidance, December 2000.
- E. DOE shall administer the distribution of funds or the reimbursement to Board members, consultants or facilitators.

#### XI. ANNUAL EVALUATION.

- A. There shall be an annual evaluation of the Board to assess how adequately it is representing its stakeholder interests and meeting the needs of the public.
- B. The Board shall also evaluate the responsibilities of DOE and the other participating and enforcement agencies.
- C. The Board shall develop the criteria for these mutual evaluations.

#### XII. NATIONAL SSAB MEETINGS.

- A. Prior to attending a complex-wide meeting or workshop, the members of the Board elected to participate should schedule and attend a training workshop, which shall be open to all members of the public and all members of the Board.
- B. Training workshops should be used to develop a better understanding of the issues and subject matter as well as develop local strategies or issues concerning the subject matter.
- C. When possible, training workshops should be scheduled prior to the last full Board meeting before the complex-wide meeting, allowing all Board members the opportunity to express their ideas and opinions to the Board's delegation.
- D. The spokesperson for complex-wide meetings or workshops shall be determined as follows:
  - 1. Chairs' Meeting
    - a. Chair
    - b. Chair-elect
  - 2. Workshop
    - a. Chair of subcommittee/task force most closely related to the subject matter, as determined by the Chair and Chair-elect.
    - b. Member of subcommittee/task force most closely related to the subject matter, as determined by the Chair and Chair-elect.
    - c. Chair
    - d. Chair-elect
- E. At the first Board meeting following a complex-wide meeting, the Board members who attended that meeting should make a presentation to the full Board.

### XIII. AMENDMENT.

- A. Any member of the public, the Board or one of the agencies may propose an operating procedure amendment. In order to be considered by the Board, an amendment must be sponsored by a member of the Board.
- B. Discussion of proposed amendments and the justifications for same shall be had at a regular Board meeting.
- C. A vote of one-half ( $\frac{1}{2}$ ) of the full Board shall be required for acceptance of an operating procedure amendment. Proxies shall not be allowed.
- D. Adopted amendments shall be issued to the Board members and the principal agencies. Such amendments shall also be made available to the public.